

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOE HAND PROMOTIONS, INC.,

Plaintiff,

-against-

JULIO LIZARDO, and J&H RESTAURANT  
ASSOCIATES, INC.,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/20/2021

1:20-cv-06593 (MKV)

ORDER OF  
DISMISSAL

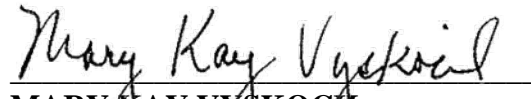
MARY KAY VYSKOCIL, United States District Judge:

The Complaint in this action was filed on August 18, 2020 [ECF No. 1]. An executed summons was filed on the docket on October 12, 2020, and, according to those summonses, Defendants' responses to the complaint were due October 27, 2020 [ECF No. 10]. No responses were filed, and Plaintiff has not prosecuted this case to date. Accordingly, it is hereby:

ORDERED that the above-captioned action is discontinued for failure to prosecute without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made by **February 19, 2021**. If no such application is made by that date, today's dismissal of the action is with prejudice. *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962)).

**SO ORDERED.**

**Date: January 20, 2021**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**